EXTRAGRDINARY WILL CASE.

A Lost Document Recovered After Twenty Years' - Search.

FORTUNES SPENT IN THE MEANTIME.

Romance and Miseries of a Maryland Family.

Carelessness of an Office Boy Keeping Rightful Claimants Out of Their Property.

A FAMOUS CASE REOPENED.

UPPER MARLBORO, Md., Oct. 13, 1879. In one of the most fertile sections of the forest of rince George's county, Md., there lived in the year 1850 two brothers named respectively Thomas B. and David Crawford. Thomas resided upon his magnificent estate called Greenwood Park, while about a mile distant therefrom, in an elegant mansion, with its gabled turrets overlooking Washington city, on a beautiful sloping hill surrounded by ancient oaks, was the home of David Crawford. Their slaves were so numerous that many of them were unknown to their old masters, and their broad acres stretched from Forestville to the District of Columbia line. In politics they wielded an immense influence, and in the good old honest days when whig met democrat in the political arena the Crawfords were always found leading the van of the whigs. Many a time when a boy have I seen the Crawford carriage, an old-fashioned four-scated lan-dau drawn by four handsome horses, dressed in gold mountings, escorted by four negroes in livery as outriders, drive into Mariboro, the county town, its occupants, the brothers, come to meet their political associates to shape the coming campaign. They were honored by the rich and beloved by the poor. Charity was one of their pre-dominating virtues, while pride was their besetting Their corn and meat houses were always open to the poor, and many a prayer and "God bless you!" were showered upon their heads from the widow and orphan for charities bestowed upon them when gaunt poverty stared them in the face. Thomas Crawford in his early manhood employed a housekeeper by the name of Elizabeth Taylor to superin-tend his household affairs. She carried the keys, sat at the head of the table, and, although rather illiterate, entertained his numerous guests when assem-bled there and gradually assumed the position of wife. Although no one had ever heard of the marriage being consummated, and every one fearing to approach him on the subject, all were content to let matter rest, though many believed from the position she assumed that a marriage had taken place. By this alleged marriage, however, four chilwere born, who, as will hereafter be shown, play a most prominent part and finally become the principal actors in this celebrated case.

AN ALLEGED SECRET MARRIAGE.

The announcement of the birth of the first child fell like an earthquake upon the household of David Crawford, who prided himself upon his untarnished name and record. And as years rolled on and other children were born under his brother's roof and christened in the Church and given his name and the alleged secret marriage whispered about him swore vengeance upon the plebeian born who dared ford. An estrangement began then between the brothers, which resulted in an open feud, which which occurred in March, 1854. After he was laid ered bequeathing all of his estate, real, personal and mixed, to his four children by Elizabeth Taylor (not calling her Elizabeth Crawford or in any manner referring to her as his wife), but simply to the four children of Elizabeth Taylor, and by said will appointing Mr. Thomas F. Bowie (who afterward took a leading part in the celebrated case) as his executor. The will was duly admitted to probate, the estate divided among the four children, and Thomas Crawford's estate finally osed up by order of Court. As soon as the contents of the above mentioned will became known all of the old gossip of twenty years before was indulged had many friends and supporters, who unhesitatingly asserted that she was the lawful widow of Thomas Crawford, that she was legally but secretly married at the request of her husband, and went so far as to assert that the Rev. Father Feeslack, pastor of St. Patrick's Church, Washington, married them. There were many who doubted that a marriage ever really took place, and none more strongly than the was not the case, and that they should never revel in his wealth as they had done with his brother's.

really took place, and none more strongly than the brother David, who was firmly convinced that such was not the case, and that they should never revel in his wealth as they had done with his brother's. But as there were none to dispute the title of the estate with the children they received their respective shares, and the question of marriage vel somewas not again mooted until years later.

David CLAWFORD DIES A RACHELOR.

The children enjoyed the wealth bequeathed them by their father, were educated and accomplished, and their fortune gave them entry in the best society in the county. Years passed on like a golden dream with them, and they were regarded as the mext of kin and prospective heirs of their Unde David's vast estate when he should die, which event was speculated upon to a great extent until death claimed him as its own and he was laid away in the family burying ground at Greenwood Park. United again in death, as they rest side by side. David, and they rest side by side. David and they rest side by side. They side they rest side by side. They side they rest side by side of the side of an old bachelor and died as such. It often was a matter of wonder that a man of his great wealth and exalted position never married. He was easily side they side

before concluded wore out and carried to their graves every lawyer originally engaged upon either side, except one, C. C. Magruder, of the Mariboro Bar, also all of the Crawford children, except one.

COMMENCEMENT OF A GREAT CONTEST.

In the absence of the will proceedings were commenced in the Orphans' Court for Prince George's county, Maryland, January 12, 1880, by Richard S. Blackburn, for himself and others, by filing a petition in said court, alleging that he stood in the relation of first cousin to said David Crawford, and as such was entitled, as the next of kin of inheritable blood, to administer said estate. In said petition he also alleged that the younger Crawfords were the filegitimate children of one Elizabeth Taylor, and in consequence thereof had no inheritable blood in them, either of the said Thomas or David Crawford, and were therefore debarred of any right whatever in the premises. Thereupen the alleged illegitimate Crawford children, by their counsel, filed an answer to said petition utterly refuting the matters set forth in said petition utterly refuting the matters set forth in said petition utterly refuting the matters set forth in said petition, and asserted that they, and they alone, are the only true and genuine heirs at law and distributes of the real and personal estate of David Crawford, and, as such, were alone entitled to administer thereon. Upon the petition and answer and at the instance and request of both parties issues were framed under the direction of the Orphans' Court and sent to the Circuit Court at the ensuing term. The most important of said issues, and the one upon which the case was finally determined, was, "Whether the said Thomas Crawford was ever lawfully married to the said Elizabeth Taylyr, either before or after the birth of said children?" The Court issues were subsequently, by appropriate and proper legal proceedings, removed to the Circuit Court for Charles county, Md., upon the affidavit of R. S. Blackburn that he could not obtain a fair and impartial trial

The young Crawfords were represented by Judge S. H. Berry, State Attorney Edward W. Belt, of the Mariboro Bar, and Reverdy Johnson and Damel Clarke, of the Baltimore Bar.

BLACKBURN'S VERDICT—AN APPEAL.

After a long and tedious trial a verdict was rendered in laver of Blackburn, Kearney and others, the Virginia heirs. The case was subsequently appealed upon by the young Crawfords and carried to the Court of Appeals of Maryland, and was by said Court affirmed in all things and was sent back with its records and proceedings to the Orphans' Court for Prince George's county, which thereupon granted letters of administration to Richard S. Blackburn, one of the Virginis heirs. Flackburn was required to give bond in double the amount of personal property in his hands to be administered, and here another battle between the legal giants took place. Nearly all of the sureties on the bend are residents of Virginis, and the young Crawfords objected to the bond—first, on account of non-resident sureties and upon several other grounds, among which was the following:—"That the State of Virginia was at war with the anthorities of the United States and that the tenure of property in said State was vague and uncertain and that the sureties resided in a State in which the civil process of the United States had no force." The counsel of Blackburn thereupon filed an answer to said objection, alleging "that the State of Virginia had not been released from her federal obligations by the United States, and that whether she be in fact, or in consalleging 'that the State of Virginia had not been released from her federal obligations by the United
States, and that whether she be in fact, or in contemplation of law, in or out of the federal Union,
her relative position toward the State of Maryland
will be the same as it always has been, that of an independent sovereign State, and that he reasonable
person could for a moment doubt that, in the event
of the acknowledgment of the independence of the
Confederate States, some satisfactory provision
would be made between the parties to the existing
war for the mutual recovery of private debts due
from citizens of one confederacy to the other respectively. Upon the polition and answer being
argued and submitted the Court held that the sureties were sufficient, and Blackburn proceeded to administer the personal estate, amounting to nearly
\$300,000.

minister the personal estate, amounting to nearly \$300,000.

ELIZABETH TAYLOR TELLS HER STORY.

Ejectment suits were then instituted by the young Crawfords against Blackburn, Kearney and others to recover possession of the large landed estate which they claimed as natural heirs of David; said suits were afterward abandoned, and suits of the same character were instituted in the United States District Court of Maryland in Baltimore city. Oral and written testimony enough to cover thousands of pages were taken, the most important of said testimony being that of Elizabeth Taylor, reputed wife of Thomas Crawford and mother of the Crawford children, also plaintiffs in this suit. She testified substantially as follows:—That her intercourse with Thomas Crawford commenced about thirty years prior to this time, but not then under a promise of marriage; at the birth of her first child she carried it to Washington and had it christened by Rev. Father Fisiack, a French priest, then pastor of St. Patrick's Church. He had a lengthy conversation with her, and impressed upon her the necessity of saving her soul, which she could not do if she continued to live in sin with Thomas Crawford, and advised her not to return to Mr. Crawford, and advised her not to return to Mr. Crawford, and advised her not to return to made retused to accompany him home unless as his wife. He asked for time to consider the matter, and, after pondering a long time, he at last consented, with the positive understanding that the marriage should be kept a profound secret from every one and particularly his brother David, and on the following Tuesday the marriage was solemnized by said priest, and that she returned home in the carriage with him.

TENTIMONY OF THE PRIEST WHO MARRIED HER.

Nearly a hundred witnesses were sworn, some of

young Crawfords had already expended the most of their fortune in defraying the expenses of this suit, and without this evidence they would certainly lose their case. The lawyers concluded to furnish the necessary amount and immediately preceding the second trial prayed for a commission to Europe to take the testimony of Father Pisiase; the petition was granted and after a long and tedious search the French priest was found in Rome, who testified to the best of his knowledge he did marry Thomas Crawford and Elizabeth Taylor at the time as alleged, &c., which evidence completed the broken link and thereby established the marriage, upon which the Court for the second time decided the case. The Virginis heirs again appealed and took the case to the United States Supreme Court, and it was there the second time argued by the most eminent counsel in the land, and decided in favor of the young Crawfords, thereby establishing the marriage and declaring them to be the legitimate children of Thomas Crawford and the heirs at law of David. Previous to the last trial in the Supreme Court the counsel for the Virginis heirs made a motion to have the case continued until the next term when Daniel Clarke, a member of the Baltimore Bar, opposed the motion, and said, in a very feeling and eloquent manner, that but one lawyer besides himself, out of the multitude originally engaged, was now alive, and if continued he greatly leared that he would be called upon to answer the final summons. And, sure enough, a short time after his remarks, he died suddenly while engaged in the trial of a case at Annapolis, Md. By this decision was concluded the most remarkable case ever reported. The Virginia heirs are dispossessed of their rightful inheritance, as will hereafter be shown, and, after paying the court, lawyer and witnesses fees, together with the ravages of war, are reduced to poverty. The young Crawfords took possession of their estate, it was sold by trustees under order of the Court to several purchasers, who have built upon and o

spective portions, intile dreaming that the decisions of the highest court in the land would at some future day be reversed and the long lost will discovered.

In the month of March, 1879, John B. Brooke, one of the recent counsel for Blackburn and Kearney, the Virginis heirs, received from an unknown source a large envelope. Upon opening the same he discovered a paper, yellow and musty with age, purporting to be the last will and testament of David Crawford. He thought it a joke at first, but concluded to bring it to Mariboro, the county town, to test the genuineness of the signature, which was pronounced by several persons who were acquainted with his signature to be genuine. The excitement over its discovery was intense, and it spread like wildfire throughout the entire county, carrying joy to the hearts of those who had been dispossessed and defrauded of their rights, and consternation and trembling to those of the innocent purchasers, who had in some instances expended their last dollar in improving the land and beautifying their homes. The following incident occurred upon the same day the will was discovered. One of the rightful heirs was consitting with her attorney as to the apparently hopeless effort of saving her home, which was to be sold for debts accrued in the defence of this case. An hour later, when about to leave for home with an almost broken heart (for she had received no comfort from her attorney) she was informed of the discovery of the long lost will, when would not only save her home from the Sheriff's hammer but restore to herself and children the comforts and luxuries of bygone days. On the 6th day of March last John B. Brooke and F. Snowden Hill, representing the Blackburn and Kearney heirs, filed with the Register of Wills for this county a paper purporting to be the last will and testament of David Crawford; Judge Tuck, C. C. Magruder, Jr., and Joseph K. Roberts have filed on behalf of the purchasers and Crawfords a caveat to said will. The counsel for the Blackburn heirs have also f

THOMAS BAYNE [seal], of Prince George's county

when the same comes up at the next session of the Court de novo.

HISTORY OF THE FAMOUS DOCUMENT.

The history of the will, as near as can be sacertained, is that it was drawn by one Horace Miller, an attorney of the District of Columbis, and attested by himself, together with Bayne and Duvall. At the commencement of the war Miller went South, it is supposed, and espoused the Confederate cause, and was killed in one of the battles before Richmond. Before he left Washington he instructed his office boy, in case of his non-return, to deliver or send the papers stored away in a box to the parties to whom they were directed. The boy subsequently went to Virginia, carried the box of papers with him, which were stored away in the attic of an old house, where they remained until opened by said boy last spring, who forwarded the papers as directed by his employer nearly twenty years before.

During the last session of the Court here, one of the jiddges of the Court of Appeals being present, requested the Register to let him look at the will, and, after examining it and pondering a while said, "This is the most remarkable case ever reported in this or any other country."

Thus after years of privation and poverty and toll.

the wronged will be righted and the record and pro-ceedings in this celebrated case will be considered the most extraordinary over reported in ancient or modern jurisprudence.

ARCTIC ICE LIMITS.

DR. BESSEL, OF THE HALL EXPEDITION, RE-CAPITULATES THE RECORD OF THE SOUTHERN ICE LIMIT FOR A CENTURY IN THE SEA NORTH OF BEHRING STRAIT-A HOPEFUL OUTLOOK.

WASHINGTON, Oct. 17, 1879. Dr. Emil Bessel, the Arctic explorer, who is now in Washington, has revived his interest in researche in the Arctic region and is now in correspondence with Professor Nordenskjöld. Before the departure of the Jeannette from San Francisco he had several long interviews with Lieutenant De Long and expressed the greatest faith in the success of the ex-pedition via Behring Strait. Since the departure of the Jeannette he has been to the pains of carefully examining all the records known of expeditions which have entered Arctic waters via Behring Strait, mitted to make the following extract, giving his reasons for his faith in the success of the expedition

now sailing northward under command of Lieutenant De Long. He says:—

The prospects of the Jeannette are certainly very favorable, judging from recent reports received from the region into which the vessel has sailed. The southermost limit of the pack seems to have receded more than for a good many years, which, of course, is most favorable for rapid progress into the northern waters. I have compiled from the records an account of the condition of the Arctic waters running back a century, and I find that the conditions almost invariably point to an open sea after reaching a certain latitude, beyond which I am confident the Jeannette will be able to pass. The following synopsis of the condition of the ice in Behring Strait will sustain me in my predictions:—

In August, 1778, the great navigator Gook reached latitude 70 deg. 44 min., in longitude 161 deg. 30 min. west. The equatorial limit of drift ice was found to be in latitude 64 deg. 18 min. on the 15th of August, while two days later the limit of the pack was encountered in latitude 70 deg. 41 min., longitude 160 deg. west. The highest latitude reached by Gook in the following year was attained in July, when he advanced to latitude 70 deg. 30 min., in longitude 163 deg. 10 min. west. On the 6th of July, 1779, the southernmost limit of the drift ice was met in latitude 67 deg. north. Later in July the southernmost limit of the drift ice was met in latitude 67 deg. north. Later in July the southernmost limit of the between further to the south. In 1787 Portlock and Dixon found the coast of Northern Siberis entirely blocked, while in latitude 61 deg. 30 min., and later even further to the south. In 1787 Portlock and Dixon found the coast of Northern Siberis entirely blocked, while in latitude 61 deg. 30 min. there was scarcely any ice to be seen, and two years later Mackenzie found the mouth of the river named after him completely blocked as late as July. In 1794 Vancouver found Cook Sound completely blocked, and on the 26th of June he met the equatorial limit the Russian brig Bigonanjereny in 1820 mot the southern limit of the drift in latitude 60 deg. 40 min. on the 5th of July. Later in the same month the limit of the gack was encountered in latitude 60 deg. 30 min. The west coast of 5t. Lawrence Island was entirely free, and likewise the sea before Kotzebue Sound. The latter opened on the 22d of July. The year following, in 1821, the same vessel reached latitude 71 deg. 13 min., where the ice was found to be impassable. This happened on the 17th of August, and large fields of ice were met with as far south as latitude 60 deg. 18 April of the same sea Lawtennat Anjou. 60 deg. 18 April of the same sea Lawtennat Anjou. 60 deg. 18 April of the same sea Lawtennat Anjou. 60 deg. 18 April of the same sea Lawtennat Anjou. 61 deg. 18 deg. 1

An Incendiary Manifesto Issued by the Irish Skirmishers.

THREATS OF VENGEANCE.

Evoking the Memory of Famine Horrors in '47.

AN APPEAL TO THE IRISH PEOPLE.

The exciting news received from Ireland within the last few weeks has unquestionably aroused con-siderable feeling among the Irish people in this city and vicinity, and day after day the pages of the HERALD are eagerly scanned for the latest details of the ever-growing land agistion. Among Irish citi-zens it is everywhere the all-absorbing topic of con-versation, and no one acquainted with their habits can go among them without observing that their feelings are worked up to a degree hitherto almost without precedent. Not even during the height of without precedent. Not even during the height of the Fenian excitement was anything like the same intensity of feeling visible, and if it has not yet taken definite shape it is only because no plan of action has been placed before the masses by any influential leader or recognized organization. Recog-nizing the want of a definite plan the trustees of the Irish national fund held a meeting last night and adopted an address to the Irish people. This paper is significant, inasmuch as it contains direct threats of vengeance in case acts of cruelty should be per-petrated by the Irish landlords or massacres by the English troops. It is as follows:—

English troops. It is as follows:—
THE ADDRESS.

TO THE IRINH PROPLE IN THE UNITED STATES:—
FILLOW COUNTRYSES—The throatening aspect of affairs in Ireland calls for prompt and vigorous action on the part of nationalists in this country. It is no time for idea als, but for actions propagat movement is fast appeared in a create when its members must be propared to make larger series when its members must be propared to make larger acrifices and work with redoubled real, so that the heur of trial may not find them unprepared.

In view of the change in the situation it has been decided, with the concurrence of several trusted friends in the national fund and to appeal once more te the Irish people here for their support.

ational fund and to appeal once more to the respective or for their support.

The national fund was started with a view to providing be means to strike a telling blow against England when wer an opportunity should present itself. Its object was a first distinct from the general movement for Irish indesindence and not influenced by any particular crisis is reland calling for immediate action. Its originator lever calculated that it should perform more than a small overline of the work of driving the foreigner from the sol of Ireland. It was intended, in short, to insten, it poss of Ireland. It was intended, in short, to insten, it possesses the provider of the work of driving the foreigner from the sol of Ireland.

se met. When the position of the national fund from its oundation to a few short weeks ago. Since then the rhole situation of affairs has changed. New daties are mposed on us, new sacrifices douanded. Treland is face o face with one of the greatest crises in her history, for people are meaned with extermination, and appeal

lomesteads?

Victums of landlord tyranny, look back to your shattered roffrees and desolated hearths; remember the horrors of the eviction which scattered your kindred through foreign lands, and resolve to save those you have left behind you from a similar fate. You can at least supply them with the means of avenging the murder of their friends and neighbors and of beginning a movement that will end in the destruction of that landlord system which has blighted one of the fairest lands on this earth and inflicted centuries of misery on your race.

Survivors of '47, have you forgotten the countless horrors of the famine and the weary years of suffering and sorrow that followes it? Can you think of your murdered kindred without a burning desire to avenge them? Does the memory of the hunger pang, the pettience, the resking emigrant ship and the giastly fover shed arouse no righteons indigation in your souls, and can you calmly contemplate a repotition of these horrible scenes in the persons of the generation which has grown to manhood since then? Remember that kinglish landlordism in Ireliand was the chiof cause of that famine, and that to-day it is as cruel and relatiless a monster as ever. It menaces the very existence of our people, and must be destroyed. You who have suffered most from its blighting influence should make yourselves missionaries of reithution and arouse your countrymen to the necessity of its final extination.

Irishmon of all creeds, this is no sectarian strife, but a struggle for human rights in which all have equal interests to maintain, common dangers to face and common enomies to overcome. Those whose fathers settled among us in the times of confiscation have acquires a title to the land they till by their labor, have mixed with the neople us in the times of confiscation have acquires a title to the land they till by their labor, have mixed with the neople and become as Irish as we. To day we recognize an offerever buried.

We do not wish to provoke a hopeless resistance, but because the ve

and become as Irian as we. To-day we recognize no distribution of religion, and hope to see the founds of the past forever buried.

We do not wish to provoke a hopoless resistance, but who because the bayenet's point are entered to be a seen to end the bayenet's point are entered end men, defending their homes from the foreign cohlor, than to live papers in the workhouse or starve by the readside. The action evidently contemplated by the English government may provoke such a conflict between the people and the foreign soldlery as will precipitate a general movement. This is a danger which must be foreseen and provided for.

In the event of such a conflict the funds at our disposal shall be used to enable the people to stand by their homes, to strike down the robber rule of the landford and is inflict speedy punishment for acts of cruelty and muriler, We know the consequences of the steps it may be necessary to take, and do not hesitate to assume the responsibility. Will you sharp that responsibility with us, and enable us to take really effective incastrus, by smataining the fund?

THOMAS CLARKE LUBY.

THOMAS CLARKE LUBY.

THOMAS PINGUESE.

JAMES REYNOLDS.

A SEA CAPTAIN MISSING.

Lawyer Thomas Middleton, of Tom's River, N. J., called at Police Headquarters yesterday and reported the mysterious disappearance of Foreman D. Rogers, of that place. He was captain of the coasting of that place. He was captain of the coasting schooner George Avery, and was seen at the Liberty

street ferry, in this city, on the 7th inst. On that day he sent a telegram to his wife, informing her that he would start for home that evening and that she might expect him on a late train. Since then he has not been seen. He had in his possession at the time about \$600, which he had collected for some freight delivered in Connecticut. His friends suspect that he displayed the money while in this city and has been robbod and murdered. Captain Rogers is described as being about forty years old, five feet six inches in stature, and having dark hair and mustache. When last seen he were a blue suit.

BUSINESS FAILURES.

THE NUMBER AS COMPARED WITH LAST TEAR LARGELY DECREASED-BRIGHTENING BUSI-NESS PROSPECTS.

During the present year there has been an immense reduction in the number of business failures as compared with former years, a reduction which can only be attributed to the improved condition of trade and the upward tendency of prices on goods of all descriptions that set in last spring. The condition of business for the rest three months has dition of business for the past three months has changed materially for the better, and appears to be as prosperous and certainly as profitable as ever beto-day, the following table shows the number of failures in the United States and Canada for the first nine months of the present year as compared with

Total.........8,678 \$197,211,129 5,320 \$81,054,940 Canada........1,242 18,138,321 1,484 24,424,570 The comparison for the third quarter of 1879 is still more favorable, showing a still greater rate of decrease in business casualties, both as compared with last year and with the quarters of this year that proceded it. The failures in the United States have

proceded it. The failures in the United States have been less by one-half in number than those of the corresponding period in 1878, the precise decrease being 1,591. The liabilities show a much larger proportionate reduction, being less than one-quarter of what they were in the same period last year—\$15,275,550 as against \$66,378,363.

"It will of course be remembered," says the circular, in commenting upon the above results, "that for the first two months of the third quarter of 1878 the failures were unusually numerous, owing to the prospective repeal of the Bankrupt law in September of that year; but, even taking that circumstance into consideration, the decrease in the last quarter is almost phenomenal, in view of the fact that the average number of failures for the third quarter of the preceeding four years was 2,223, or nearly double the number of the last quarter's failures (1,362), while the average liabilities for the third quarter of the four years was \$52,000,000, or more than three times the amount of liabilities of the third quarter

"These figures show the wonderfully improve condition of trade throughout the country, and a a brilliant angury of the future prospects of con-merce. This change from adversity to prosperi-has been sudden, comparatively speaking. Only of year ago—for the quartor preceding October, 1878, the processible disasters were more process.

has been sudden, comparatively speaking. Only one year ago—for the quarter preceding October, 1878—the mercantile disasters were more numerous and more calamitous than ever before in a similar period. There seems to be no doubt that a great part of this imprevement is legitimate and has come to stay. Some of it, however, is necessarily fetitions, arising out of the too rapid increase in values. While values advance with unusual facility failures must necessarily be fewer.

"But while this country seems to be blessed with all possible financial advantages poor Canada's condition seems to be falling from worse to worse. The failures there have increased over sixteen per cent in number and thirty-three per cent in amount for the first nine mogaths of the present year as compared with 1878, as may be readily seen by a moment's inspection of the table. For the last quarter the exhibit is still more depressing. The failures have increased from 295 last year to 417 in 1879, or more than thirty-three per cent, while the amount is increased by over fifty per cent, rising from \$4,629,592 for the third quarter of 1878 to \$6,998,617 for a similar period this year."

ALDERMEN IN SESSION.

AS SUPERVISORS THEY CONFIRM THE TAX LEVY-THE "L" BOAD'S ENCROACHMENT ON BATTERY

The Aldermen met as a Board of Supervisors at noon yesterday to consider the tax levy and transact any other business that might come before them. When the roll was called and the minutes of the pre-vious meeting had been read and approved Super-visor Roberts moved that the tax levy be confirmed, and that the rate of taxation be fixed at \$2.58. The motion was adopted, and the members of the Board signed the necessary papers to give due logal effect to their action.

The Board then organized as Aldermen and received a number of communications on various sub-jects. Alderman Morris introduced a resolution, the Manhattan "L" road in taking a large portion of the Battery Park, and requesting the Commissioners of the Department of Puolic Parks to cancel the per mission heretolore given to that company to occupy

mission hereiotore given to that company to occupy the park. The resolution also requested that no additional privileges to make use of the park be given to the "L" road managers.

Two other measures were placed before the Board by Mr. Morris, and both of them were adopted. One provided for allowing the Fifth regiment, N.G.S.N.X., to occupy the armory of the Sixty-finith regiment when vacated by them, and the other authorized the leasing of premises on the corner of Twenty-seventh street and Ninth avenue as an armory for the Eighth regiment. The last named organization has been virtually without headquarters since their Twenty-third street armory was desiroyed by fire.

A letter was received from State Comptroller Oleott, stating that the Board of Equalization of Taxes had fixed the valuation of property in this county at \$1,246,872,419, and that the amount of State tax that would have to be raised was \$3,559,765 fl. The communication was placed on file.

Alderman Sauer at this point moved that the Cor-

\$3,569,765 [1]. The communication was placed on file.

Alderman Sauer at this point moved that the Corporation Counsel be requested to inform the Board what proceedings have been taken to restrain the operation of the alleged unauthorized ferry from the slip between piers 14 and 15 North River to the New Jersey shore, as directed by a resolution passed some time since. The motion was adopted, and President Mott announced communications from the Mayor.

"I move we adjourn," said Alderman Keenan, and he was seconded by those of his colleagues who were apprehensive that His Honor would send in more names for the department vacancies. The motion was carried and the Board adjourned until Tuesday next at noon.

POLICE BOARD MEETING.

At the weekly meeting of the Board of Police Commissioners yesterday the following communication was received from John Nugent, the policeman of was received from John Nugent, the policeman of
the Eighteenth precinct who has been indicted and
is at present confined in the Tombs awaiting trial
for complicity in the Manhattan Bank burglary:—
To vine Board of Police:—
Please take notice that i, John Nugent, patrolman of the
Police Department of the city of New York, do hereby demand payment of the sum of \$887.05, the sum being my
salary as such patrolman for the months of June July
August and September, 1870. Yours respectfully.

JOHN NUGENT, Patrolman Eighteenth precinct.
October 14, 1879.

JOHN NUGENT, Parrolman Eightoeath precinct.
October 14, 1879.
No comments were passed on the communication.
It was referred to the treasurer. Nugent is still a member of the police force. He has not been brought to trial before the Commissioners in consideration of the fact that judgment in his case is pending before a civil court. He will therefore, it is said, receive his back pay.

Rule 118 of the Police Manual, which provides that an offending officer convicted three times of a violation of the rules of the department should be subject to dismissal from the service, was rescinded on motion of Mr. MacLean. This action was taken to avoid possible lawsuits arising from the enforcement of the rule. There are four sections in the rule, and the courts have recently decided that a policeman must violate each of the four sections thrice before he leaves himself open to removal.

Considerable routine business was transacted, such as the appointing of inspectors to fill vacancies and street sweepers in the Street Cleaning Department, after which the Board adjourned. The Board subsequently went into executive session, but conducted their deliberations with closed doors.

AMICABLY ADJUSTED.

Shortly after Charles Harriman, the pedestrian, Square Garden, for the Astley belt, he was charged with having induced Mrs. George W. Stackhouse to leave her husband, who was then the steward of the St. James Hotel, and go to Boston with him. A suit

ON THE DEFENSIVE.

The Railroads Presenting Their Side of the Case.

OIL AND STEAM.

Further Testimony Before the Legislative Committee.

Immediately upon the reassembling of the Legislative Committee appointed to investigate the man-agement of railroads in this State, yesterday morn-ing, at the rooms of the Chamber of Commerce, No. 63 William street, the case on the side of the railroads 63 William street, the case on the side of the railroads was opened. Ex-Judge Shipman and Mr. George R. Bianchard represented the Eric Bailroad and Mr. Chauncey M. Depow the interests of the New York Central, Mr. Simon Sterne examined as usual on behalf of the people. Matters relating to the Eric Railroad, and chiefly in regard to its oil business and the road, and chiefly in regard to its oil business and the transactions of the Standard Oil monopoly, were the first topics presented. Mr. Blanchard conducting the direct interrogation of witnesses. Most of the ground covered by the testimony had already been gone over in the presentation of the case on behalf of the people, and consequently less interest was manifested in yesterday's proceedings.

THE STANDARD MONOPOLY AGAIN.

William T. Scheide, a petroleum dealer from Pennsylvania, was first called and testified in regard to the South Improvement Company:—Under its con-tract the New York roads were to receive forty-five per cent of the business, the receipts being po the oil dealers secured a contract with the New the oil dealers secured a contract with the New York roads at more favorable torms, but only eighteen per cent was left for the New York roads; John J. Fisher, of Oil City, violated his contract with the other dealers, and sold 15,000 barrels of oil to the Standard Oil Company, which was part of the South Improvement Company, thus breaking the blockade; the charter of the South Improvement Company was afterward ropealed by the Ponnsylvania Legislature; witness had applied to the Pennsylvania roads for a drawback and received one; the business at the drawback and received one; the business at the Weehawken docks was always done to his satisfaction; the pipe lines had a pool, Hunter & Cumings did not enter it; rate on the railroads to New York was \$1 25 a bar, rel, but they charged \$1 47, collecting the twenty-two cents extra freight; then the twenty-two cents was tage to one pipe over another, except perhaps as against Hunter & Cumings; witness had sold his refinery to Charles Pratt & Co.

refinery to Charles Fratt & Co.

By Mr. Blanchard—Did you sell it because of any advantages that the Standard Oil Company possessed over you by our line? A. No. sir.

Q. Or for any reasons connected with railroad dis-crimination or preference? A. No, sir. Q. Did I tell you at that time that we would be glad to have you continue in the business and give you as good rates as anybody else? A. Yes, sir, I do not think we have ever had anything to complain of in relation to the Eric Railroad's treatment of us.

Witness did not ship anything by the Erie-who Boatwick had charge of the docks at the end of the road; he began to ship over the Erie because of was the largest shipper, and made contracts shea

bad treatment received from the Pennsylvania; has was the largest shipper, and made contracts ahea' for cars; when business was poor he had no difficulty in transporting oil, but when it became brisi the road would make them pro rids with other ship pers for cars, and sometimes witness could not go enough transportation and was obliged to buy oil is New York to fill orders; he then wont over from the Pennsylvanis road to the Eric.

Witness did substantially the whole business, receiving a rebate equal to the treight on the branch road by which he had to bring his oil to the Eric and, in addition, the cost of transferring the oil from the narrow gauge road to the broad gauge cars, thus making his actual freight the same as if the Eric got the oil from the mouth of the well; witness became the sole shipper, but received no other rebate than the expense mouthoned of getting the oil to the Eric tracks; witness sold out his business because the refining business in New York had been largely bought up by the Standard Oil Company; instead of buying his crude oil they would send their own to New York and fill the refineries with that, so the crude oil of other parties could not be refined; witness sold out to Mr. Pratt, who was connected with the Standard Oil Company; instead of buying his did not to Mr. Pratt, who was connected with the Standard Oil Company; his works were the only outlet against the Standard to maintain themselves afterward other dealers had to send oil by rail to Buffale and then ship by canal, and if it had not been for an extraordinary spurt in

lly the Chairman—You think you should take into considering the freight? A. I think that if the public demand that we should divide our profits with them they should be willing to divide theirs with us.

EFFECT OF NEDUCING CANAL TOLLS.

Reduced canal tolls had also forced a change in the Eric rates; the average time of loading cars as small way stations was four days instead of twelve hours as at large centres; witness did not think a citizen in the interior of the State sending an occasional car load of grain should got the same rates as one at Buffalo; believing that lower rates would induce farmers along the line of the Eric road to plant an increased acreage they were fixed at from afteen to twenty-two and a half cents, while the Chicago rate was put up last Monday to thirty-five cents; witness did not think that the charge from all stations on the road should be proportionated the rates should be proportionately higher, but sexually lower than from beyond the line of the State the rates should be proportionately higher, but sexually lower than from beyond the line of the State; special rates on the other roads interfered with the business of the Eric; in 1878 the rates were reduced nearly one-half at different points on the road, being the largest voluntary reduction ever made by any railroad in the United States; they produced a very large loss in the gross earnings of the Eric Railway.

Q. On what ground did you make the reductions?

A. Upon the ground that the charge of eighty-three cents from Hornellaville while we charged forty cents from Buffalo was in itself a discrimination against which the public had a right to complain; second, we thought that other interests might be stimulated to come along the line of the railway and make up for the large losses.

There was not a territory in the world of the same extent, continued witness, with equal rail-road facilities that had as low freights as that of the State of New York; to make the canal free would be an impossibility to carry out; if the Eric r